

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DOMINIQUE JONES,

Plaintiff,

Case Number: 10-12360

v.

HONORABLE AVERN COHN

ANN BENION, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 43)**  
**AND**  
**GRANTING DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT**  
**(Docs. 22, 23, and 41)**  
**AND**  
**DISMISSING CASE**

I.

This is a prisoner civil rights case under 42 U.S.C. § 1983. Plaintiff, Dominique Jones, who is currently on parole status from the Michigan Department of Corrections<sup>1</sup> and who is proceeding pro se, has sued defendants claiming constitutional violations arising out of his parole proceedings. The matter was referred to a magistrate judge for pretrial proceedings. Defendants filed dispositive motions. Docs. 22, 23, and 41. The magistrate judge issued a report and recommendation (MJRR), recommending that Defendants' motions be granted.

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<sup>1</sup>According to Michigan's Offender Tracking System, plaintiff was released on parole on December 21, 2010, during the pendency of this case.

II.

Neither party has filed objections to the MJRR and the time for filing objections has passed. The failure to file objections to the MJRR waives any further right to appeal. Smith v. Detroit Federation of Teachers Local 231, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the MJRR releases the Court from its duty to independently review the motions. Thomas v. Arn, 474 U.S. 140, 149 (1985). However, the Court has reviewed the MJRR and agrees with the magistrate judge.

III.

Accordingly, the findings and conclusions of the magistrate judge are ADOPTED as the findings and conclusions of the Court. Defendants' motions for summary judgment are GRANTED. This case is DISMISSED.

SO ORDERED.

S/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: June 6, 2011

I hereby certify that a copy of the foregoing document was mailed to Dominiques Jones, 221036, KPEP-BERRIEN, 497 Waukonda Avenue, Benton Harbor, MI 49022 and the attorneys of record on this date, June 6, 2011, by electronic and/or ordinary mail.

S/Julie Owens  
Case Manager, (313) 234-5160